

155-2871
4 Nov

OGC HAS REVIEWED.

3 November 1955

MEMORANDUM FOR THE RECORD

SUBJECT: Definition of Probationary Period

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1. [REDACTED] met with Mr. Malloy, Acting General Counsel, Civil Service Commission, and Mr. Welch of his staff, to discuss probationary periods with reference to the Veterans' Preference Act and rights of appeal under that Act. We outlined in the hypothetical the [REDACTED] case wherein, although he had approximately four years governmental service, there had been a break of approximately one year prior to accepting a temporary appointment with the Signal Corps for three months and then transferred, without a break in service, to this Agency and has been with CIA for approximately three months.

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2. It was indicated that CIA believes that paragraph 6 of Chapter S 1 of the Federal Personnel Manual applied here in that in no event could the service previous to the break in service be counted as a part of the probationary period. The Civil Service officials agreed with this interpretation and stated it has been consistent with their interpretations. They pointed out in fact that [REDACTED] would not have gained any coverage under the Veterans' Preference Act toward completion of probationary period by virtue of the temporary appointment in the Signal Corps.

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3. In view of the above, there seems to be no reason why, upon a finding that [REDACTED] is unsuitable and disqualified for CIA service, he could not be terminated by administrative action of the Personnel Director without any right of appeal to the Commission.

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[REDACTED]
Deputy General Counsel

cc: Security Office
Personnel Office